

Docket No.: 02849/000G277-US0

**REMARKS**

This Response is in reply to the Official Action mailed June 20, 2005. Claims 1 through 10 are now pending; no claims have been amended. Entry of this Response is requested as it is believed that the outstanding rejection by the Patent Office does not set forth a *prima facie* case of obviousness and that the claims are therefore in condition for allowance.

In the preceding Office Action, the claims stood rejected over Sosan, a primary reference, in view of the teachings of Ogilvie. In Applicant's submission of March 29, 2005, Ogivlie was removed as a reference against the claims. The outstanding Office Action again cites to Sosan as the primary reference, but for the first time rejects the claims as obvious over Sosan in view of newly cited Morello et al. However, the combination with Morello et al. fails to teach or suggest the claimed step of registering the placement of an article *after the securing step*, as recited in claim 1.

***Proposed Combination Does Not Meet Claim limitations***

Were one of skill in the art to modify Sosan in view of Morello et al., as the Patent Office has proposed,<sup>1</sup> the resulting system would include a scanner to register articles, but would still lack any feature suitable for performing the claimed step of registering the placement of the article "*after the securing step*," as recited in claim 1. In particular, the bar code scanner described by Sosan is

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<sup>1</sup> The Morello et al. patent is classified (and its field of search is also) in non-overlapping categories than Sosan. Sosan is concerned with securely receiving articles whereas Morello et al. are concerned with dispensing and accepting return of reusable articles. Respectfully, persons of skill in the art of parcel delivery would not turn to the art area where the Morello et al. patent is classified for teachings relevant to parcel delivery.

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used only to obtain a code suitable for opening the locked satchel in connection with delivering a package, but has no pertinence to registering placement of a parcel "after the securing step," and has no communication of placement data whatsoever. Similarly, Morello et al. describes a vending machine that is always secure (it is locked), and so the proposed combination of Sosan and Morello does not teach or suggest registration of placement "after a securing step," and therefore does not teach or suggest all of the limitations of claim 1.

In connection with the outstanding rejection of all claims, the Patent Office acknowledges that step (f) of claim 1, the automatic parcel registration within the secure receptacle, is not "specifically" disclosed in Sosan.<sup>2</sup> However, even assuming that persons of ordinary skill in the art would have been motivated to make the proposed modification with Morello et al., the resulting system does not meet the recitations of the claimed method.

The Morello et al. patent describes a vending machine for videocassettes and the like in which a previously dispensed article is scanned upon *return* to the machine so that its *return* to the same machine or a different machine in a network of machines is registered. In the system of Morello et al., it is critical to track the *return* of a videocassette so that appropriate fees are charged to a customer, and for that reason Morello et al. keep records of packages that were delivered. However, there is no teaching or suggestion in either Morello or Sosan to register the placement of a

<sup>2</sup> There is a bar code scanner in Sosan; however, the only teaching in Sosan is to use the bar code scanner to decode information for delivering a package, and not for automatically registering the delivery of a package into a secure receptacle "by communicating placement data concerning the placement of the parcel within the secure receptacle over a communication link."

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parcel within a secure receptacle in a method for delivering a parcel by a carrier at a location of an intended recipient.

Rather, the common practice in the art of package delivery is for the carrier to log deliveries in a journal or by way of an electronic device that has no cooperation or knowledge of actual placement of a parcel within a secure receptacle at the location corresponding to the address of the intended recipient. If confirmation of delivery is required, then someone would have to sign for the package and that is the way in which delivery records have been kept. The claimed invention resolves a longfelt need in the art by shifting the evidence of delivery to the receipt of the parcel within the recipient's secure receptacle rather than for the word of the carrier that the deliveryman's records show delivery of the parcel and without the need for a signature.

While the Morello et al. patent describes scanning articles, that scanning is being done on articles being *returned* to the vending machine. The registration of a returned article to the vending machine is only effective for articles that are known to the system, and not for parcels that are simply receivable in a secure receptacle upon delivery by a carrier as recited in the method of claim

1. For example, Morello et al. teach:

In the event that the article code on the returned cassette cannot be [read] by the above code reader 154 the first time, it tries again to read the code. After a predetermined number of attempts, the cassette in case 30 will be transferred to an empty bin location, and the article will be identified in the location/article code table with a serial number (article code) placing the cassette under a hold status. Screen 36 will advise the customer that the machine is unable to verify the cassette and advise the customer to contact the system operator to correct any problems with the cassette. Failure of bar code

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154 to read the article code on the cassette may be due to the bar code having been removed from the cassette, **insertion of an improper cassette**, or simply due to the bar code having been obscured for some reason. In any event, cassettes returned to the machine within case 30 which cannot be identified by the machine are kept and stored in the machine, and problems caused thereby are to be handled personally by the system operator. In such situations, the customer is provided with a receipt by printer 21 providing information regarding the system operator and advising the customer to contact same.

From this excerpt, Morello et al. is understood as not registering the placement of a particular parcel, but only those that are *proper* (that is, among articles known to the system). Thus, a videocassette may be returned to any one of a number of machines in a network of vending machines, registration of such articles is only if they are "proper," that is, a cassette that is expected to have been inserted in the first place. No such constraint exists in the claimed parcel delivery method, which as noted concerns a distinct methodology in which the carrier has the ability to access the secure receptacle, place the parcel within the accessed secure receptacle, and secure the secure receptacle after placing the parcel within the secure receptacle.

Reconsideration and withdrawal of the Section 103(a) rejections are requested.

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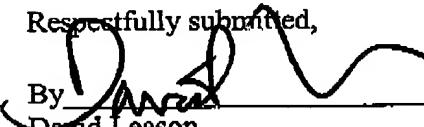
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The Examiner is invited to contact the undersigned if she perceives of a basis for resolving any outstanding issues.

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Respectfully submitted,

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